

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:13cv46**

**MARK KEVIN MILLER**

**Plaintiff,**

**v.**

**WAL-MART,**

**Defendant.**

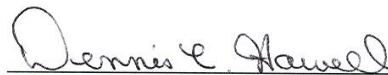
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**ORDER**

Pending before the Court is Plaintiff's Motion to Subpoena Documents [# 4]. Plaintiff, who is proceeding *pro se*, requests that the Court order Defendant to produce documents. Plaintiff brought this action on February 22, 2013. Defendant's answer or response to the Complaint is due April 2, 2013. Because discovery in this case has not yet begun, any motion to produce documents is premature at this time. Accordingly, the Court **DENIES without prejudice** the motion [# 4]. During the discovery period, Plaintiff may serve Defendant with requests for the production of documents consistent with the Federal Rules of Civil Procedure.

Signed: April 2, 2013



Dennis L. Howell  
United States Magistrate Judge

